

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**ASSENTED-TO MOTION FOR EXTENSION OF TIME**

Defendants, Biopure Corporation, Thomas A. Moore, Carl W. Rausch, Charles A. Sanders, M.D., J. Richard Crout, M.D., Howard Richman, and Ronald Richards (collectively, the “Defendants”), hereby move the Court to extend the time in which Defendants must respond to the Second Consolidated Amended Complaint to and including April 28, 2006. As grounds for this motion, Defendants state as follows:

1. On March 28, 2006, the Court denied Defendants' Motion to Dismiss the Consolidated Amended Complaint and granted Plaintiffs' Motion to Amend.

2. On March 28, 2006, Plaintiffs filed the Second Consolidated Amended Complaint.

3. Defendants' response to the Second Consolidated Amended Complaint is due on or about April 11, 2006. Defendants request that the deadline for response be extended to and including April 28, 2006.

4. Plaintiffs, by their counsel, have assented to this motion.

WHEREFORE, Defendants respectfully request that the deadline for response to the Second Consolidated Amended Complaint be extended to and including April 28, 2006.

Respectfully submitted,

**BIOPURE CORPORATION, THOMAS A.  
MOORE, HOWARD P. RICHMAN,  
RONALD RICHARDS, CARL W.  
RAUSCH, CHARLES A. SANDERS AND  
J. RICHARD CROUT**

By their attorneys,

/s/ Michael D. Blanchard

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Robert A. Buhlman, BBO #554393  
Michael D. Blanchard, BBO#636860  
Lawrence T. Stanley, Jr. BBO # 657381  
BINGHAM McCUTCHEN LLP  
150 Federal Street  
Boston, MA 02110  
(617) 951-8000

Dated: April 11, 2006

**RULE 7.1(A)(2) CERTIFICATION**

I hereby certify that counsel for Defendants conferred with counsel for Plaintiffs in good faith to resolve or narrow the issues presented in this Motion. Counsel for Plaintiffs consents to the relief sought by this Motion.

/s/ Michael D. Blanchard

Michael D. Blanchard

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was electronically served upon the attorney of record for each party on April 11, 2006.

/s/ Lawrence T. Stanley, Jr.

Lawrence T. Stanley, Jr.